

Federal Defenders
OF NEW YORK, INC.

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May 24, 2022

BY ECF

Honorable Jesse M. Furman
United States District Judge
Southern District of New York
40 Foley Square
New York, New York 10007

Re: United States v. Antonio Velez
21 Cr. 63 (JMF)

Dear Judge Furman:

I write, as counsel to Antonio Velez in the above-captioned matter, to respectfully request a 90-day adjournment of Mr. Velez's sentencing date, currently scheduled for June 15, 2022, and a corresponding extension of sentencing submission deadlines. The government objects to this request.

As the Court is aware, Mr. Velez had two surgeries last year—one on May 28, 2021, and a spinal surgery on July 12, 2021. Dkt. 37. During Mr. Velez's recovery from surgery, he was diagnosed with Stage 2 lung cancer and began chemotherapy treatment. MRI scans then revealed that Mr. Velez's tumor was resistant to his treatment plan. In February 2022, Mr. Velez underwent a thoracoscopy procedure on his left lung and his doctor determined that the cancer had metastasized to his adrenal glands. *See* February Letter from Doctor, Exhibit A. In April 2022, an adrenalectomy was performed on Mr. Velez; he is currently being treated with chemotherapy and radiation in an effort to curb further metastases. *See* May Letter from Doctor, Exhibit B. This course of treatment is necessary for Mr. Velez's survival. Plainly stated, Mr. Velez's "life expectancy is three to four years without following the treatment plan in place." *Id.*

Given Mr. Velez's ongoing cancer treatment, the defense respectfully requests a 90-day sentencing adjournment. The government objects to this request but notes that following sentencing, it would agree that Mr. Velez need not surrender until his treatment has concluded. The defense believes the requested adjournment is necessary to guarantee that Mr. Velez

continues to receive life-saving medical care in the community rather than potentially endure the severe health complications posed by incarceration.

Thank you for your consideration of this request.

Respectfully submitted,

/s/

Marne Lenox
Assistant Federal Defender
(212) 417-8721

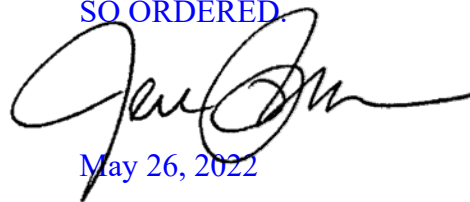
SO ORDERED:

HONORABLE JESSE M. FURMAN
United States District Judge

cc: Sarah Mortazavi, Assistant U.S. Attorney

Application GRANTED as unopposed. *See* ECF No. 46 (ordering the Government to file "any opposition" by today at noon). Accordingly, sentencing is ADJOURNED to September 13, 2022, at 3:15 p.m. The Clerk of Court is directed to terminate Docket No. 45.

SO ORDERED

A handwritten signature in black ink, appearing to read 'Jesse M. Furman', is written over the typed name and date.

May 26, 2022